
HOUSE RESOLUTION

URGING THE DEPARTMENT OF TRANSPORTATION AND THE CITY AND COUNTY OF HONOLULU DEPARTMENT OF TRANSPORTATION SERVICES TO DEVELOP A PROCEDURE FOR SETTLING AND RESOLVING DISPUTES REGARDING OWNERSHIP AND RESPONSIBILITY FOR MAINTENANCE AND THE IMPROVEMENT OF ROADWAYS.

1 WHEREAS, the safety of the public is an important concern
2 to the Legislature, and the quality of roadway maintenance
3 throughout the State has a direct impact on the safety of
4 individuals operating motor vehicles; and
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6 WHEREAS, there have been long standing jurisdictional
7 disputes between the counties and the State regarding roadway
8 ownership and responsibility for maintenance and improvement of
9 roadways, and as a result, the people of the State have
10 experienced considerable frustration in obtaining necessary
11 repairs and maintenance of public roads; and
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13 WHEREAS, this problem apparently originates from a 1963
14 amendment that redesignated section 142-1, Hawaii Revised
15 Statutes, as section 264-1, Hawaii Revised Statutes, and created
16 two categories of public highways--state highways, which are
17 under the jurisdiction of the state Department of
18 Transportation, and county highways, which comprise all of the
19 remaining highways; and
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21 WHEREAS, the State claims that under this law, all non-
22 state roadways were transferred from the State to the various
23 counties and are not the responsibility of the State, while the
24 counties maintain that a highway does not become a county
25 highway unless it is accepted or adopted as such by the county
26 council and thus accept no responsibility for roadways they have
27 not accepted or adopted; and
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29 WHEREAS, the dispute over roadway jurisdiction has been a
30 lengthy one, with the State and county governments staunchly
31 maintaining their respective positions and showing no interest
32 in modifying them to facilitate a negotiated settlement; and



BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the Governor, the Director of Transportation and the Mayor, the Chairperson of the Council, and the Director of the Department of Transportation Services of the City and County of Honolulu.

Y. O. O. O.
Jan. 1, 1912

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